Application No.: 09/880,191 10 Docket No.: 09648/000L349-US0

# **AMENDMENTS TO THE DRAWINGS**

Figures 2-4 and 7, which are presented in Appendix A, have been amended to show open end 5d, as disclosed in the specification. No new matter has been added.

Appendix A: Figures 2-4 and 7

### **REMARKS**

#### Status of the Claims

Claims 1-6 have been previously canceled without prejudice or disclaimer of the subject matter therein.

Claims 7, 9, 10, 12, 14 and 15 have been amended. Support for the amendment can be found in the Specification at page 4, line 27 continuing through page 5, line 8 and page 6, line 28 continuing through page 7, line 5.

Claims 7-16 are pending in this application. No new matter has been added.

## Rejections under 35 U.S.C. § 103(a)

Claims 7-16 are rejected under 35 U.S.C. § 103(a) as being obvious over U.S. Patent No. 5,966,776 to Ona in view of the Applicant's Admitted Prior Art, and further in view of U.S. Patent No. 6,065,187 to Mischenko. The Examiner contends that Ona discloses all the elements of the claims but does not disclose a baffle means, and that Ona can be combined with the baffle means as disclosed by the Applicant. The Examiner also contends that the distinction in order and orientation of the components is an obvious design choice for one of ordinary skill in the art at the time of the invention. The Examiner asserts that the rib portion formed along an axial direction and the slide washer not taught by Ona are taught by Mischenko. The Examiner contends that the use of rib portions is well known in the arts, and it would have been necessary for one of ordinary skill in the art at the time of the invention to use a rib portion to engage the elements that must be rotated or

opened and closed. In addition, the Examiner contends that the use of slider washers is well known in the arts and that it would have been an obvious design choice for one of ordinary skill in the art at the time the invention was made to have used a washer. Applicant respectfully traverses this rejection.

Applicant has amended independent claims 7 and 12 to recite:

a case body having a closure plate with a bearing hole on one end portion, an open end portion on another end portion, and a baffle means on the circumference of said case body, said case body is nonrotatably inserted into mounting hole of either one of said members from the side of said closure plate; a fixed cam nonrotatably inserted on the side of said closure plate inside said case body and having a through hole on the central portion in the axial direction and a first cam portion on one end portion; a shaft passing through said through hole of said fixed cam and said bearing hole mounted on said closure plate ... and penetrating through said case body in the central axial direction thereof, and with another end portion protruded from the side of said open end portion.

Applicant submits that none of the cited prior art teaches or suggests Applicant's claimed elements and that, therefore, the claims overcome the prior art. Applicant respectfully requests that the rejection be withdrawn.

Applicant submits that the basic construction of Ona does not teach or suggest the construction claimed by the Applicant. Applicant submits that claims 7 and 12 have been amended to recite that the case body is engaged with the shaft. The Examiner acknowledges that neither Ona nor Mischenko disclose a case body as claimed; therefore, the combination of Ona and Mischenko does not teach a case body engaged with the shaft as recited in the claims.

In addition, the fixed cam of claims 7 and 12 is mounted inside the case body, such that both the fixed cam and slider cam are accommodated together inside the case body. Specifically, the

Application No.: 09/880,191 13 Docket No.: 09648/000L349-US0

fixed cam and connecting portion of the first cam portion with the second cam portion is mounted in the depth of the case body, and not located on the joint portion of each one of the mounting portions of the first member and the second member. In contrast, Ona teaches a hinge device "comprising: a first cam fixed to the first member; a second cam fixed to the second member; a shaft means coaxially supporting the first cam and the second cam so that they can relatively rotate" (Ona, col. 3, 11. 24-28). Accordingly, the cams in Ona provide connection contacts to each of the rotating members, whereas the cams in Applicant's invention do not. Therefore, the orientation of the components of the claimed invention would not have been an obvious design choice for one of ordinary skill in the art at the time of the invention.

Further, Applicant submits that washers 2808 and 2810 as disclosed by Mischenko are described as "friction washers" (Mischenko, column 4, lines 14-28) and not slider washers as recited in the claims. Applicant submits that a friction washer is clearly different from a slider washer in its function, and thus the combination of Mischenko and Ona does not teach or suggest every aspect of the claimed invention.

For the aforementioned reasons, the combination of Ona and Mischenko does not teach or suggest every aspect or feature of the claimed invention. Claims 8-11 are dependent from independent claim 7, and claims 13-16 are dependent from independent claim 12 and are therefore patentable for at least the reasons discussed above with respect to independent claims 7 and 12.

Based on the foregoing, the rejection of claims 7-16 under 35 U.S.C. § 103(a) should be withdrawn, and reconsideration is respectfully requested.

Application No.: 09/880,191 14 Docket No.: 09648/000L349-US0

## **CONCLUSION**

Each and every point raised in the Office Action dated June 30, 2005 has been addressed on the basis of the above amendments and remarks. In view of the foregoing it is believed that all claims are in condition for allowance and it is respectfully requested that the application be reconsidered and that all pending claims be allowed and the case passed to issue.

If there are any other issues remaining which the Examiner believes could be resolved through a Supplemental Response or an Examiner's Amendment, the Examiner is respectfully requested to contact the undersigned at the telephone number indicated below.

Dated: September 30, 2005

Respectfully submitted,

Louis J. DelJuidice

Registration No.: 47,522

DARBY & DARBY P.C.

P.O. Box 5257

New York, New York 10150-5257

(212) 527-7700

(212) 527-7701 (Fax)

Attorneys/Agents For Applicant